

REMARKS

This amendment is being filed along with a Request for Continued Examination (RCE) in response to the final Office Action dated June 20, 2008 and the Advisory Action dated August 20, 2008. Various claims are amended as shown. No new matter has been added. With this amendment, claims 1-21 are pending in the application.

I. Preliminary comments

It is noted herein for the attention of the Examiner that responsibility for the prosecution of the present application has been transferred to new counsel (Dennis M. de Guzman and the other registered attorneys at the law firm of Seed IP Law Group PLLC). Accordingly, the present amendment and accompanying papers are being filed in accordance with 37 CFR 1.34. New power of attorney and change of correspondence address documents will be filed in due course. The new attorney docket number for the present application is 853463.467USPC.

It would be appreciated if the Examiner can telephone Mr. de Guzman in advance of the mailing of the next communication to inform Mr. de Guzman of the upcoming mailing, so that Mr. de Guzman can monitor for receipt of said next communication in the mail and/or check the U.S. Patent Office PAIR system for said next communication. It is hoped that this advanced notification provided by the Examiner can assist Mr. de Guzman in timely docketing and responding to said next communication, in the event that the new power of attorney and change of correspondence address documents have not yet been entered by the U.S. Patent Office at the time of mailing of said next communication.

The Examiner's cooperation and assistance with regards to the above would be very much appreciated.

II. Supplemental information disclosure statement (IDS) and amendments to the specification and Abstract

A supplemental IDS is being filed herewith to submit the references listed therein for consideration. Because this supplemental IDS is being filed along with the present RCE, an

IDS certification and/or IDS fee are not required and therefore are not included herewith. It is kindly requested that an Examiner-initialed copy of this supplemental IDS be provided along with the next communication, so as to confirm that the references listed therein have been entered into the record and considered.

The specification is amended as shown to add headings, to update the priority information, and to make a typographical correction. The Abstract is amended as shown to be consistent with the other parts of the written description and to remove parenthetical information.

### III. Discussion of the claims and cited references

The final Office Action rejected claims 1, 3-8, and 10-20 under 35 U.S.C. § 102(e) as being anticipated by Benveniste (U.S. Patent Application Publication No. 2004/0264397). Claims 2, 9, and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Benveniste in view of Smith (U.S. Patent Application Publication No. 2003/0126244).

For the reasons set forth below, these rejections are respectfully traversed. It is therefore kindly requested that the rejections be reconsidered and withdrawn.

#### A. Independent claim 1

Independent claim 1 as previously presented recited, *inter alia*, an “unscheduled” requested servicing signal. It was argued in prior responses/amendments that Benveniste did not teach that his access point 201 receives an unscheduled servicing request. In finding such argument(s) to be unpersuasive, pages 2-3 (section 2) of the Advisory Action asserted the following (emphasis ours):

“Benveniste at [0070] disclosed services that transmit and receive signals from other devices in a network via an access point. Benveniste goes on to disclose methods for transmitting and receiving signals with power saving devices, one method Benveniste disclosed: ‘One strategy, which is used in the IEEE 802.11-1999 standard, is for the access point 101 to

include periodically in the beacon a Traffic Indication Map (TIM) that identifies which stations in power-save mode have downlink frames waiting for them in access point 101's buffer. When a station wakes up and the TIM indicates that there are frames buffered at access point 101 for the station, the station sends a Power Save (PS) poll frame to access point 101 to request delivery of a buffered frame, and, after receiving and acknowledging the downlink frame, goes back to a doze state' ([0015], lines 1-11). The station does not wake up to make a scheduled request, when the station wakes up and there is an indication of pending downlink data the station makes a request. This strategy does not include a scheduled service request, and thus is an unscheduled service request."

It is believed that the above-quoted assertions by the Advisory Action to maintain the rejections are insufficient to reject claim 1. However, to facilitate prosecution, claim 1 is nevertheless amended as shown so as to make claim 1 further allowable over the cited references.

Specifically, claim 1 as amended herein recites, *inter alia*, "said network component being informed of said scheduled request by a field of a traffic specification format being set to a first value, said network component being informed of said unscheduled request by said field of said traffic specification format being set to a second value different from said first value." Support for these recitations can be found, for example, in paragraphs [0020] – [0024], in Table 2, in Figure 3B, and elsewhere in the present application. It is respectfully submitted that Benveniste does not meet these limitations of claim 1.

For example, it is respectfully submitted that Benveniste nowhere discloses, teaches, or suggest the traffic specification format having the field that can be set to first and second values as recited in claim 1. As asserted by the Advisory Action, Benveniste provides an "unscheduled service request" by virtue of the station waking up, determining that there is pending downlink data buffered at the access point, and then requesting delivery of the buffered downlink data. These teachings of Benveniste are completely silent with respect to any traffic

specification format having a field set to a second value that informs a network component of the unscheduled request.

Furthermore, while the Advisory Action does rely on Benveniste's Traffic Indication Map (TIM), it is respectfully submitted that such TIM is different from the traffic specification format having the field set to the second value as recited in claim 1. For example, the TIM of Benveniste is not a "traffic specification format" and has not been cited (and does not teach) the recited field that can be set to the second value to inform the network component of the unscheduled request—rather, the TIM of Benveniste informs the station(s) that there is downlink data "waiting for them" in the buffer of the access point. Informing a network component of the unscheduled request of claim 1 is not the same as Benveniste's informing a station that there is downlink data awaiting to be delivered.

Also, the TIM of Benveniste is used by the access point to inform the stations of the downlink data—in contrast, the traffic specification format having the field set to the second value is used to inform the network component of the unscheduled request. Stated in another way and *hypothetically* assuming solely for the sake of argument that the "access point" of Benveniste can be likened to the "network component" of claim 1 and that the "station" of Benveniste can be likened to the "second one of the client devices" of claim 1, the traffic format specification of claim 1 provides a notification (informs) to the network component of the unscheduled request from the second one of the client devices, while the TIM of Benveniste provides a notification (informs) from the access point/network component to the station/client device. Thus, the flow of information between Benveniste as compared to claim 1 is in different directions.

Smith does not cure the deficiencies of Benveniste. Smith is being relied upon solely for allegedly teaching "providing a proposed schedule," but Smith nowhere discloses, teaches, or suggests the traffic specification format having the field that can be set to the second value to inform the network component of the unscheduled request.

In view of the above, it is therefore respectfully submitted that claim 1 is allowable over the cited references, whether singly or in combination.

B. Independent claims 8 and 18

Independent claims 8 and 18 are amended in a manner generally similar to claim 1 so as to recite, *inter alia* and using varying language, the traffic format specification having the field that can be set to the second value. For reasons analogous to those set forth above, it is respectfully submitted that claims 8 and 18 are allowable over Benveniste and Smith, whether singly or in combination.

C. Other claim amendments

Various other amendments are made to the claims as shown to provide appropriate antecedent basis, to make the recitations within and between related claims consistent, to more precisely recite the subject matter contained therein, to make typographical/grammatical changes, and/or to otherwise place such claims in better form.

Moreover, claims 1, 8-9, 11-12, 14, 17-19, and 21 are amended to clarify that certain recitations contained in these claims and in their related claims do not fall within the scope of 35 U.S.C. § 112, sixth paragraph.

IV. Conclusion

Overall, none of the references singly or in any motivated combination disclose, teach, or suggest what is recited in the independent claims. Thus, given the above amendments and accompanying remarks, the independent claims are now in condition for allowance. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable based on at least the same reasons and based on the recitations contained in each dependent claim.

If the undersigned attorney (Dennis M. de Guzman) has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact Mr. de Guzman at (206) 622-4900.

Application No. 10/578,646  
Reply to Final Office Action dated June 20, 2008 and  
Advisory Action dated August 20, 2008

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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